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ILLINOIS COMMERCE COMMISSION

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ORIGINAL

Cook County State's Attorney's

Motion for Stay of Commencement of Customer
Education and Order Requiring Neustar to
Demonstrate that the 847 NPA is, in Fact, Exhausted

CHIEF CLERK'S OFFICE

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) Docket No. 01-0066
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COMMENTS OF THE COOK COUNTY STATE'S ATTORNEY'S OFFICE

The Cook County State's Attorney's Office ("CCSAO") submits the following comments in response to the Hearing Examiner's request in the above docket concerning the assignability of adjacent nxx and other reserved codes.

The Illinois Commerce Commission is faced with two primary issues in Docket 01-0066: whether to order the North American Numbering Plan Administrator (NANPA) to assign certain central office codes in area code 847 or whether to declare it exhausted; and what is in the best interests of all Illinois consumers, wireline and wireless, inside and outside area code 847. The Hearing Examiner in this docket received comments from the NANPA detailing the industry's designations of 29 unassigned central office, or NXX, codes. During a conference call on February 1, 2001, the industry identified two codes of the 29 as assignable immediately.¹ Those codes were subsequently assigned by the NANPA to two of five outstanding applicants. Of the remaining 27, CCSAO agrees that 16 are unassignable. Questions remain about others that fall into three categories.

¹ The ICC should be aware that consumer representative were permitted to monitoring the conference and to make statements for the record, but were not permitted to participate in decisionmaking that resulted in the labeling of central offices codes as assignable, etc.

First, the 200 and 300 series codes are considered unassignable because they are used as test codes by Ameritech. CCSAO urges the ICC to examine these two codes to determine whether it is necessary to have 20,000 test numbers, or if it is possible to break the two codes into thousands blocks that can be assigned.

The second category of central office codes are labeled adjacent, specifically 219, 312, 630, 708 and 815. These codes are similar to the NPAs that are in the general area of NPA 847 (not all are technically adjacent to it). These codes can and should be assigned. The industry asserts that there are no technical reasons that these codes cannot be assigned, and that adjacent NPA-NXX codes have been assigned in the past. In fact, examples of an adjacent NPA-NXX assignment exist in Cook County, where the 773 NXX code is active in the 312 and 847 NPAs. The industry's claims of customer confusion as the main reason for rendering these codes unassignable are not persuasive. CCSAO notes that calls from the NPAs 219, 312, 630, 708 and 815 would be preceded by the area code 847. Thus, no real reason exists to prevent the ICC from ordering these codes to be assigned to extend the life of area code 847.

The third category of codes are home NPA NXXs, 847 and 224. While these could create customer confusion, some customers might prefer having a telephone number that has repeated digits. Studies have shown that numbers with repetition, for example 847-222-2222 are "desirable." It is therefore reasonable to deduce that 847-847-XXXX or 224-224-XXXX would be similarly desirable for the ease in remembering such telephone numbers. Consequently, CCSAO recommends the Commission order these codes be assigned. Another code that is similar to a home NPA, 668, should also be ordered assigned because the 668 NPA is merely reserved for the future, when both

NPA 847 and 224 are exhausted. With the advent of wireless portability, the timing for implementation of 668 is unpredictable and should not stand in the way of using the correlating NXX today.

There is one more NXX code whose assignment is in question: 809. There has been fraud associated with the NPA 809, since it is not a U.S. code and has been used to bait consumers unknowingly into paid services. The ICC should consider that the use of 809 as an NXX code would have limited potential for fraud, since for interLATA calls, it would be preceded by its own NPA. The technical limitations cited by the industry apply to 809 as an NPA; again, the existence of an NPA-809 combination should minimize any technical impacts. Therefore, the ICC can be reasonably sure that the consumers of Illinois are better served by ordering the assignment of NXX code 809.

The Commission has further incentive to order the NANPA to assign these nine NXX codes in NPA 847. Doing so affects all consumers in Illinois, not just those in 847, because it sets the precedent that adjacent and home NPA-NXXs are assignable. This will extend the life of every area code in the state as they get the benefit of the availability of additional NXX codes in their supply.

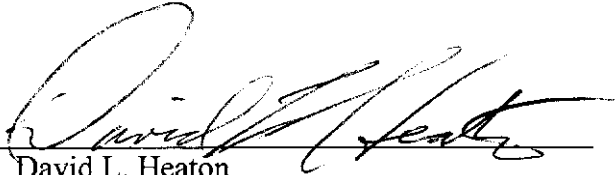
The CCSAO is not unsympathetic to the needs of industry and the desire to have immediate NPA relief, as opposed to mining 847 for every possible NXX code and telephone number. However, the ICC in its role as protector of the public interest must be mindful of the desire of consumers to retain the current dialing pattern and to postpone the possibility of two-NPA households or neighborhoods for as long as possible.

In combination with the waiver of the 10-digit dialing requirement that currently exists and for which the ICC has asked an extension from the FCC, this plan would serve both public interest requirements and allow the industry access to a new supply of NXX codes in NPA 224. The addition of nine NXX codes results in 90 blocks, or 90,000 telephone numbers for wireline customers, for whom seven-digit dialing, geographic identity and single-NPA households/neighborhoods are vitally important.

Respectfully submitted,

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Date: February 9, 2001

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**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Cook County State's Attorney's)

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Docket No. 01-0066

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NOTICE OF FILING

PLEASE TAKE NOTICE that on this date, February 9, 2001, we have filed with the Chief Clerk of the Illinois Commerce Commission the enclosed the Comments of the Cook County State's Attorney's Office in the above-captioned docket.

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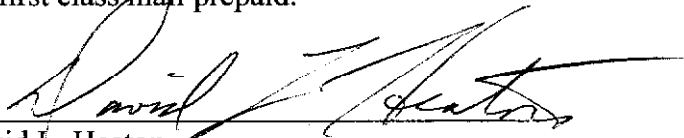
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CERTIFICATE OF SERVICE

I, DAVID L. HEATON, hereby certify that a copy of the enclosed Comments of the Cook County State's Attorney's Office was served on all parties on the attached list on the 9th day of February 2001, by hand delivery or U. S. first class mail prepaid.


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